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bridge, or to charge or collect toll fees for traveling over said wagon-road approaches.

Condition of acceptance.

SEC. 9. That said Muskogee, Oklahoma and Western Railroad Company shall accept this right of way upon the express condition, binding upon itself, its successors and assigns, that they will neither aid, advise, nor assist in any effort looking toward the changing or extinguishing of the present tenure of the Indians in their lands, and will not attempt to secure from the Indians or Indian nations and tribes any further grant of land or its occupancy than is hereinbefore provided for; and the acceptance of the provisions of this section shall be made by the proper authority of the company under the corporate seal before the commencement of the construction of the road: *Provided*, That any violation of the conditions of this section shall operate as a forfeiture of all rights granted by this Act.

Proviso. Forfeiture.

Record of mortgages.

SEC. 10. That all mortgages executed by said railroad company conveying any portion of its railroad that may be constructed in said Indian Territory shall be recorded in the office of the Secretary of the Interior and also in the office of the clerk of the United States district court for the Indian Territory having jurisdiction, and the record thereof shall be evidence and notice of their execution and shall convey all rights and property of said company therein expressed.

Assignment forbidden.

SEC. 11. That the right of way herein and hereby granted shall not be assigned or transferred in any form whatever prior to the construction and completion of the road, except as to mortgage or other liens that may be given or secured thereon to aid in the construction thereof.

Amendment, etc.

SEC. 12. That Congress may at any time amend, add to, alter, or repeal this Act.

Received by the President, January 18, 1897.

[NOTE BY THE DEPARTMENT OF STATE.—The foregoing act having been presented to the President of the United States for his approval, and not having been returned by him to the house of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval.]

January 30, 1897.

CHAP. 109.—An Act To prohibit the sale of intoxicating drinks to Indians, providing penalties therefor, and for other purposes.

Indians. Sale, etc., of intoxicating drinks to, prohibited. R. S., sec. 2139, p. 373, amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person who shall sell, give away, dispose of, exchange, or barter any malt, spirituous, or vinous liquor, including beer, ale, and wine, or any ardent or other intoxicating liquor of any kind whatsoever, or any essence, extract, bitters, preparation, compound, composition, or any article whatsoever, under any name, label, or brand, which produces intoxication, to any Indian to whom allotment of land has been made while the title to the same shall be held in trust by the Government, or to any Indian a ward of the Government under charge of any Indian superintendent or agent, or any Indian, including mixed bloods, over whom the Government, through its departments, exercises guardianship, and any person who shall introduce or attempt to introduce any malt, spirituous, or vinous liquor, including beer, ale, and wine, or any ardent or intoxicating liquor of any kind whatsoever into the Indian country, which term shall include any Indian allotment while the title to the same shall be held in trust by the Government, or while the same shall remain inalienable by the allottee without the consent of the United States, shall be punished by imprisonment for not less than sixty days, and by a fine of not less than one hundred dollars for the first offense and not less than two hundred dollars for each offense thereafter: *Provided however*, That the person convicted shall be committed until fine and costs are

Penalty.

Proviso. Imprisonment for fine, etc.

paid. But it shall be a sufficient defense to any charge of introducing or attempting to introduce ardent spirits, ale, beer, wine, or intoxicating liquors into the Indian country that the acts charged were done under authority, in writing, from the War Department or any officer duly authorized thereunto by the War Department. Authorized introduction of liquors.

SEC. 2. That so much of the Act of the twenty-third day of July, eighteen hundred and ninety-two, as is inconsistent with the provisions of this Act is hereby repealed. Repeal. Vol. 27, p. 260.

Approved, January 30, 1897.

CHAP. 110.—An Act Authorizing the establishment of a life-saving station on the coast of Maryland. January 30, 1897.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to establish a life-saving station on the coast of Maryland, between the Fenwick Island and the Ocean City life-saving stations, at such point as the General Superintendent of the Life-Saving Service may recommend. Maryland. Life-saving station established.

Approved, January 30, 1897.

CHAP. 111.—An Act To confirm certain cash entries of public lands. January 30, 1897.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all entries of the public lands made under the provisions of the Act entitled "An Act to graduate and reduce the price of the public lands to actual settlers and cultivators," approved August fourth, eighteen hundred and fifty-four, which are illegal and invalid because of the fact that the lands covered thereby had never been offered for sale, be, and the same are hereby, confirmed, if, upon examination by the Commissioner of the General Land Office, the same are found to be otherwise regular and in compliance with said Act and the Acts supplemental thereto. Public lands. Certain cash graduation entries confirmed. Vol. 10, p. 574. Vol. 12, p. 413.

SEC. 2. That all acts or parts of acts in conflict herewith are hereby repealed. Repeal.

Approved, January 30, 1897.

CHAP. 112.—An Act To establish railroad bridges across the Cumberland and Tennessee rivers, in Kentucky. January 30, 1897.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Cairo and Tennessee River Railroad Company, a corporation organized under the laws of the State of Tennessee, its successors and assigns, is hereby authorized and empowered to erect, construct, establish, and maintain railway bridges and approaches thereto across the Cumberland River, in the State of Kentucky, at points to be selected by said railroad, or its successors or assigns, between Rockcastle and Tobaccoport, in Trigg County, and also another bridge across said river between Burksville, on said river, in Kentucky, and the Tennessee State line, and also a bridge across the Tennessee River, between Pine Bluff, in Calloway County, Kentucky, and Birmingham, in Marshall County, Kentucky, the locations of said bridges to be selected by said railroad, or its successors or assigns, between said described points on said rivers, which said bridges shall not interfere with the free navigation of said rivers; and in case of any litigation arising from any obstruction or alleged obstruction to free Cairo and Tennessee River Railroad Company may bridge Cumberland and Tennessee rivers, Kentucky. Litigation.